

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.

ATARI ABIA ENDSELEY

v.

MARRIOTT INTERNATIONAL, INC.,  
ROSA PEREIRA, LENETTE MIRON,  
CITY OF BOSTON, EDWARD DAVIS,  
Commissioner, STEVE PASCIUTO,  
Officer, ETHAN GREY, Officer

**NOTICE OF REMOVAL**

The defendant, City of Boston, hereby gives notice of the removal of this action - pursuant to 28 U.S.C. § 1441 - from the Suffolk Superior Court, where this action is currently pending. In Superior Court, the case is docketed as Civil Action No. 10-2271 and has the same caption as above.

In support of this notice, the City of Boston states:

1. The action appears to be grounded in the laws and Constitution of the United States of America.  
Specifically, throughout the ninety-seven page complaint the Plaintiff alleges violations of his federal constitutional rights pursuant to 42 U.S.C. §§ 1983 and 1988, and the 4th and 14th Amendments. In addition, in the Counts section of the Complaint, the Plaintiff dedicates a section to "violation of civil rights" and specifically alleges violations of 42 U.S.C. §§ 1981-1983,

1986-1987, 18 U.S.C. §§ 241, 242, 245, the II and XIV Amendments of the United States Constitutions, and others. Accordingly, this action "arises under the Constitution, treaties or laws of the United States" and is therefore removable under 28 U.S.C. § 1441. See Complaint (filed contemporaneously herewith).

2. This notice of removal has been filed within thirty (30) days from service of Plaintiff's complaint upon the Defendant City of Boston.
3. At this time, the only co-defendant of which the City is aware who has been served is Lenette Miron. Miron's attorney has consented to the removal of this action. Since there is no indication that any of the other co-defendants have been properly served and none of them have filed any responsive pleadings or motions, their consent for removal is not necessary.

Respectfully submitted,  
CITY OF BOSTON,

By its attorneys,  
William F. Sinnott, Corporation  
Counsel

/s/ Nicole Murati Ferrer

**CERTIFICATE OF SERVICE**

I hereby certify that on this day,  
a copy of this document was served  
upon counsel of record via first-  
class mail, postage prepaid.

7/1/10    /s/ Nicole Murati Ferrer  
Date        Nicole Murati Ferrer

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